
By: **Chairman, Judicial Proceedings Committee (By Request -
Departmental - Transportation)**

Introduced and read first time: January 23, 2003

Rules suspended

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 11, 2003

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicle Administration - Identification Cards - Cancellation**

3 FOR the purpose of authorizing the Motor Vehicle Administration to cancel
4 identification cards under certain circumstances; requiring the holder of a
5 canceled identification card to surrender the identification card to the
6 Administration immediately upon cancellation; and generally relating to
7 identification cards issued by the Motor Vehicle Administration.

8 BY repealing and reenacting, with amendments,
9 Article - Transportation
10 Section 12-301
11 Annotated Code of Maryland
12 (2002 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Transportation**

16 12-301.

17 (a) On application, the Administration shall issue an identification card to any
18 individual who:

19 (1) Is a resident of this State;

1 (2) Does not have a driver's license;

2 (3) Presents a birth certificate or other proof of age and identity
3 acceptable to the Administration; and

4 (4) Presents a completed application for an identification card on a form
5 furnished by the Administration.

6 (b) (1) Except as provided in paragraph (2) of this subsection, the
7 Administration shall establish a fee for the issuance of an identification card and for
8 issuance of a duplicate identification card.

9 (2) A fee is not required if the applicant for the card:

10 (i) Is 65 years old or older;

11 (ii) Is legally blind;

12 (iii) Has permanently lost the use of a leg or an arm;

13 (iv) Is permanently disabled so severely that the applicant cannot
14 move without the aid of crutches or a wheelchair; or

15 (v) Has a physical or mental impairment that substantially limits a
16 "major life activity" as defined in the federal Americans with Disabilities Act.

17 (c) A person may not commit any fraud in applying for an identification card
18 issued under this section.

19 (d) A person may not commit any misrepresentation in applying for an
20 identification card issued under this section.

21 (e) A person may not commit any fraud in using an identification card issued
22 under this section.

23 (f) A person may not make any misrepresentation in using an identification
24 card issued under this section.

25 (g) (1) An identification card shall be:

26 (i) Of the size and design that the Administration requires; and

27 (ii) Tamperproof, to the extent possible.

28 (2) The card shall contain:

29 (i) The name and address of the applicant;

30 (ii) The birth date of the applicant;

31 (iii) The sex of the applicant;

- 1 (iv) A description of the applicant;
- 2 (v) A color photograph of the applicant taken by the procedure that
3 the Administration requires;
- 4 (vi) The expiration date of the identification card;
- 5 (vii) The signature of the applicant; and
- 6 (viii) The signature and seal of the issuing agent.

7 (h) An identification card may be used as legal identification of the individual
8 to whom it is issued for any purpose.

9 (i) An identification card expires every 5 years. It may be renewed on
10 application and payment of the fee required by this section.

11 (j) The identification card shall be surrendered by the holder upon being
12 issued a Maryland driver's license.

13 (k) The Administrator may issue an identification card to an applicant:

14 (1) Whose privilege to drive has been refused, cancelled, suspended, or
15 revoked; or

16 (2) Who has been issued a temporary license under § 16-205.1(b)(3)(iii)
17 of this article.

18 (L) (1) THE ADMINISTRATION MAY CANCEL AN IDENTIFICATION CARD
19 ISSUED UNDER THIS SECTION IF THE ADMINISTRATION DETERMINES THAT THE
20 HOLDER OF THE IDENTIFICATION CARD:

21 (I) WAS NOT ENTITLED TO BE ISSUED THE IDENTIFICATION CARD;

22 (II) FAILED TO PROVIDE ACCURATE OR REQUIRED INFORMATION
23 IN THE APPLICATION FOR THE IDENTIFICATION CARD;

24 (III) FRAUDULENTLY APPLIED FOR OR OBTAINED THE
25 IDENTIFICATION CARD; OR

26 (IV) IS OTHERWISE IN VIOLATION OF SUBSECTION (C), (D), (E), OR (F)
27 OF THIS SECTION.

28 (2) IF THE ADMINISTRATION CANCELS AN IDENTIFICATION CARD
29 UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE HOLDER OF THE IDENTIFICATION
30 CARD IMMEDIATELY SHALL SURRENDER THE CANCELED IDENTIFICATION CARD TO
31 THE ADMINISTRATION.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
33 effect October 1, 2003.

